CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

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To: Land Use Committee

Subject: Proposed Part II Plan: Theatre Block

Origin: Commissioner of Planning and Development in conjunction with the Chairman of the Mayor's Task Force on the Theatre Block (c71luc88307:81)

Comments:

1. SUMMARY

In October 1982 City Council designated the three blocks bounded by Dundas, Queen, Yonge, and Victoria Streets as a Redevelopment Area pursuant to Section 22(2) of the Planning Act (See Map 1).

The principal reason for this designation was to recognize the importance of the southerly block, bounded by Queen, Yonge, Shuter and Victoria Streets to the cutural heritage of the City. This block, referred to as the "Theatre Block", contains three major and historical theatre and concert hall facilities (The Elgin and Winter Garden theatres located at 189 Yonge Street and Massey Hall located at 15 Shuter Street), three historical bank buildings (at 175, 197 and 205 Yonge Street), and the former Heintzman building at 193 Yonge Street (See Figure 2). This report proposes a Part II plan for the block.

The area north of Shuter Street also contains an historic theatre (Imperial Six, now known as the Pantages); however, the majority of land uses contained in these blocks are commercial retail activity related to the jewellery industry. It is more appropriate to examine this portion of the redevelopment area separately in order to, among other things consider the creation of an open space at Dundas Square, as well as the appropriate use of the City-owned lands located at Victoria and Shuter Streets.

The proposed Part II Plan for the Theatre Block sets out public goals and how these can be most effectively achieved. The goal of the Part II Plan is to ensure strong public and cultural identity for the block. A major public initiative is proposed: the creation of a central enclosed space

integrating the historic buildings, theatres and concert hall. This would contribute to the City's cultural objectives as well as recognize the importance of increased tourist related activities. The Part II policies also encourage improvements to the quality of the urban environment as well as adding diversity to the downtown area. The Part II Plan outlines general development objectives for comprehensive development of public and private lands on the block as well as specific policies relating to matters such as historic preservation, provision of non-profit complimentary uses in historic buildings, built form, and pedestrian environment.

In order to ensure realization of the concept that reflects the objectives of the City and obtains the maximum public benefits, the Part II Plan recommends among other things, policies to permit the transfer of development rights from historic buildings.

2. BACKGROUND

In 1983, based upon the opportunity provided by the presence of the theatres and historic structures, the coincident interest of the Province (which initiated the acquisition and renovation of two theatres), and the potential to expand and upgrade Massey Hall, City Council adopted a report prepared by the Commissioner of Planning and Development which outlined the basis for a Revitalization Concept and also included objectives for the block. Based on these objectives, a Mayor's Task Force was formed to oversee the development of a detailed concept plan.

In October 1983, under the direction of the Mayor's Task Force, a consultant (Klein and Sears) undertook a feasibility study of the redevelopment potential of the block and recommended a concept plan. This study examined the need for new commercial and/or residential uses on the block and proposed a master plan concept. However, due to fragmentation of ownership and the lack of general interest from the private sector, that proposed concept has not been implemented.

Based on the 1983 objectives, City Council in August 1987 adopted a report prepared by the Chairman of the Mayor's Task Force for the Theatre Block in conjunction with the Commissioner of Planning and Development that proposed a different approach; a Revitilization Concept for the Theatre Block. This concept was based on the fact that the City, as the owner of lands within the block, has an exciting opportunity to initiate and influence revitilization within the block. Further, the revitalization could be undertaken in

phases. As a result, City Council authorized the demolition of the Colonial Tavern and the acquisition of the historic Canadian Imperial Bank of Commerce building. These two initiatives represent the first stage in implementing the Revitilization Concept.

The proposed Part II Plan builds on certain of the findings of the 1983 feasibility study, the changing conditions since 1983, and further refines the framework approved by Council in August 1987.

(The key element of the Concept Plan involves the creation of a specific public initiative - the creation of a central enclosed public space that would act as a focus for the block, provide space for cultural activities as well as act as a catalyst for further redevelopment in the area.)

3.0 THE BLOCK AND SURROUNDINGS

3.1 Surrounding Area

The Theatre Block is located in the heart of Downtown Toronto two blocks east of City Hall and across Yonge Street from the Eaton Centre. The area is directly accessible to the Yonge subway line at the Queen Street station. (See Map 1).

To the north and north-east of the Theatre Block are a mixture of retail, office and parking uses, as well as the Pantages Theatre, formerly known as the Imperial Six and the Old Pantages Theatre. This movie theatre is now being converted to live theatre through the efforts of Cineplex Odeon Corporation. Famous Players is proposing a Cinema Complex in the historic building at Shuter and Yonge. The majority of these commercial retail and office uses are located in older buildings, many of which date back to late 1800's. This area also contains a significant concentration of Toronto jewellery manufacturers and retailers.

Immediately to the east of the Theatre Block and on the east side of Victoria Street is St. Michael's Hospital and extending in the block beyond, is the Metropolitan United Church with St. Michael's Cathederal directly to the north.

To the south is the Confederation Square development that will incorporate a retail and office project to be integrated with the restorated historic Confederation Life building.

Thus, the Theatre Block acts as a transitional area in two ways:

a) between the institutions to the east (ie. St. Michael's Hospital and churches) and the Eaton Centre retail district to the west; and

b) between the Financial District to the south and the High Density Mixed Use Area north of Queen Street.

3.2 The Block

The Part II policies recommended in this report relate to those lands south of Shuter Street, north of Queen Street between Yonge and Victoria Streets. The site has an area of 3 acres and can be divided into two sectors.

The sector north of and including the Elgin and Winter Garden theatres consists of nine individual parcels of land and a public lane (St. Enoch's Square). This area comprises 9,783 sq.m. (approximately 2 acres) and is built at an overall non-residential density of 2.8 times coverage. The permitted non-residential density is 4.5 times coverage, under both the High Density Mixed Commercial Residential Area Designation in the official Plan and the CRL4.5U350 zoning. The site of the former Colonial Tavern is now being used as a temporary park. Adjacent to it on the south, is the Canadian Imperial Bank of Commerce building, owned by the City, which is also vacant and to the north is the Toronto Dominion Bank. The Elgin and Winter Garden theatres, (owned by the Province of Ontario) are currently undergoing expansion, renovation and restoration. Massey Hall (owned by the Corporation of Massey Hall and Roy Thompson Hall) is used for entertainment purposes. The remaining privately owned sites are used for retail and office purposes. The two largest buildings, the Adams Furniture building at 211 Yonge Street and the historic Heintzman building at 193 Yonge Street are built to densities of 5.9 and 5.8 times their respective lot areas which is above the current permitted density provision of 4.5 times non-residential uses.

The lands south of the Elgin and Winter Garden Theatres comprise 4 062 sq.m. (approximately 1 acre), built to an overall non-residential density of 2.5 times coverage, well below the 8 times non-residential density allowed by the Official Plan and zoning by-law. The majority of the western portion of the southern sector is owned by Campeau Corporation, who have submitted an application to amend the Official Plan and Zoning By-law to permit an increase in the non-residential density from 8 to 12 times the lot area. The application also proposes the retention and restoration of the historic Bank of Montreal building situated on the north east

corner of Queen and Yonge Street. The remainder of the southern sector currently comprises various retail, restaurant and athletic club uses.

3.3 Historic Buildings (See Map 2)

The Theatre Block contains a large concentration of historic buildings. In total, eight structures or sites have been listed or designated as having historic value by the Toronto Historic Board and City Council. Seven of these are located north of the Elgin and Winter Garden theatres.

The historic theatre buildings are Massey Music Hall (see photo 3), built in 1893, at 15 Shuter Street and the Elgin and Winter Garden theatres designed in 1914 by world famous architect Thomas Lamb at 189 Yonge Street (See Photo 4). These buildings dominate the northern sector in height and stature and are regarded as significant examples of the City's architectural heritage. Both have been designated under the Ontario Heritage Act.

Two historic bank buildings are located on Yonge Street, flanking the site of the former Colonial Tavern (See Photo 4). The Bank of Toronto, known as the Toronto Dominion, designated pursuant to the Ontario Heritage Act at 205 Yonge Street, was designed by Toronto architect E.J. Lennox in 1905, and the Canadian Bank of Commerce included on the City's inventory of Heritage properties, at 197 Yonge Street, was designed at 1905 by the firm of Darling and Pearson.

Three other buildings which front onto Yonge Street have also been listed and/or designated as architecturally significant. The Heintzman building, built in 1903 and located at 193 Yonge Street, has been designated pursuant to the Ontario Heritage Act. The Bank of Montreal (See Photo 3) at the corner of Yonge and Queen (173 Yonge), designed by Darling and Pearson and built in 1909 and a building with a cast-iron facade located at 221 Yonge Street have been listed. The site of the Colonial Tavern (201 Yonge) has been listed by the Toronto Historical Board for its contextual importance.

The historic theatres and buildings occupy a total area on the block of 7 997 sq.m. (86,079 sq.ft.), representing nearly 58 percent of the area of the Theatre Block, and nearly 77 percent of the area north of the Elgin and Winter Garden theatres.

4. POLICY CONTEXT

Toronto's Official Plan is made up of two components - the Part I Plan which sets out policies to guide the development of the City as a whole; and Part II Plans, which establish policies for particular sub-areas within the City. Part II Plans may vary any of the density or other provisions of the Part 1 Plan in response to local circumstances, based on local studies.

A Part II approach is appropriate for the Theatre Block to set out the special policy goals for the Block as follows:

a) City Council has clearly stated its intent to establish a redevelopment plan for the Block because of special opportunities are presented by the high proportion of historical buildings and the proximity of significant cultural institutions;

b) the presence of public lands in a key location on the block presents an opportunity to create an exciting development in conjunction with the private holdings in a cohesive manner; and

c) the block's location, size, and historic and cultural significance mean that its comprehensive development, appropriately planned and regulated, could be to the benefit of the City as a whole.

4.1 Part I Official Plan Context

The Part II Plan proposed for this block has been developed within the context of both the policy framework established by the Part I Official Plan and specific redevelopment goals and objectives adopted by City Council for the Theatre Block.

The relevant Part I policies applying to this Block include:

a) policies respecting "Physical Form and Amenity", including the designation of Areas of Special Identity; the preservation of heritage buildings; the maintenance of significant views; the provision of public walkways, open spaces and pedestrian amenities; and the improvement of street level micro-climatic conditions, including wind, sun and noise (1A.40-1A.49);

b) the statement of Council's objective that there be space and facilities within the City for education, research and the arts, and that institutions for these purposes

design and locate their facilities to enhance the appearance of the City (6.3, 6.4);

c) the promotion of community services and facilities within the Central Area (1A.30, 1A.35);

d) the promotion of retail uses, particularly at grade level, within the Central Core (1A.14-1A.17); and

e) with respect to the southern part of the block, the identification of the Financial District as the first priority area for office development (1A.6).

4.2 Redevelopment Objectives

The redevelopment objectives adopted by City Council in 1983 remain relevant and should form the basis of a comprehensive plan for revitalization of the area. These are:

1. Restoration and Re-Use of the Theatres

A key objective for revitalization of the Theatre Block is the restoration and re-use of the two historic theatres and concert hall. The Ontario Heritage Foundation is currently restoring and expanding the Elgin and Winter Garden theatres. Discussions have been ongoing regarding the future Massey Hall expansion.

2. Development of a Focus for the Block

In order to provide a symbolic, functional and land mark focus for the Block, a major public space at grade should be developed between the theatres with direct access from Yonge Street. The presence of the three theatres and the potential 5000 patrons on the block at any one time, presents a significant opportunity to create a space that will become a cultural identity in the City.

3. Complementary Uses

To enliven the Theatre Block and ensure its success, the development of uses and facilities that are complementary to the theatre arts, including tourist related attractions, should be encouraged.

4. Retention and Re-Use of Historic Buildings

Any revitalization concept should effectively integrate the historic buildings on the block. The historic banks are

particularly suited in terms of location and size to providing a frame for the public space as well as contributing a sense of identity.

5. Integration of Private and Public Property

A co-ordinated and integrated approach of lands on the block is an important consideration in order to achieve a cohesive development concept. Not only should the historic structures be integrated, but development of private lands should relate to the central focal space, as well as to Yonge Street.

4.3 Section 36

Section 36 of the Planning Act allows municipalities to authorize increases in density and height of development in return for meeting specific municipal objectives. This Section is intended to provide incentives to encourage private sector involvement in the achievement of stated public objectives such as the preservation of buildings with historic or architectural value, the provision of special or assisted housing or the provision of additional open space or other services.

Section 5.3.2. of the June 6, 1988, report "Further Report on Guidelines for Bonusing Pursuant to Section 36 of the Planning Act,"currently before the Land Use Committee, recognizes that the Theatre Block is a unique area and that it is appropirate to consider the use of Section 36 through a Part II study process where an area based framework has been established for achieving particular identified objectives.

It is my view that Section 36 density incentives are appropriate for realizing objectives of the Part II Plan relating to the following matters:

- Historic preservation
- Public use of the historic buildings
- Acquisition of historic buildings relevant to the implementation of the central enclosed public space

However, general policies regarding of the extent of the use of Section 36 for permitting density bonuses are still under review, including by the sub-committee of the Land Use Committee established on August 10, 1988. I have therefore not addressed these matters at this time. Rather, I will report

further on the use of Section 36 to achieve objectives for the Theatre Block, once City Council has considered the recommendations of the sub-committee.

5. PROPOSED PART II OFFICIAL PLAN

5.1 Comprehensive Redevelopment

A basic premise of the proposed Part II approach is the achievement of public objectives through comprehensive redevelopment of the main block that includes, the retention of a number of important historic buildings and the creation of a central public space.

The Part II PLan focuses on these components but also includes policies with respect to public art, the pedestrian environment, new buildings, servicing and parking.

5.2 Central Public Space (See Map 5 and 6)

The July 1987 report adopted by City Council recommending a Revitalization Concept for the Theatre Block, proposed "a central publicly-owned focus or courtyard space" as a key structuring element. It's objective is to create an enlivened public space that can be utilized year round during the day time and evening hours. It would also provide a way of integrating the significant historic buildings.

The proposed enclosed public space is to be situated in the centre of the block that would connect Yonge and Victoria Streets as shown on the attached. It would provide a unique context in the City to integrate the significant historic buildings. The space would provide a focus and amenities in connection with adjacent surrounding cultural and entertainment uses. A mixture of commercial activities such as restaurants, cafes, ticket-selling space and public cultural uses would be at grade adjacent to the space to create an animated, pleasant public space with an intimate character. The clustering of uses adjacent to the space is encouraged in order that revenue and non-revenue producing uses, i.e., non-profit cultural, can be mutually supportive. The question of uses is considered in Section 5. 4.

The interior space would be designed to accommodate a variety of different public activities. This could include a gathering space for special events such as cultural exhibitions, performing arts (including small theatric performances). It could accommodate approximately 1,000 people at a time on a year round basis. In addition, the

space would provide a meeting place for theatre patrons before and after performances and space for galas and other functions associated with the theatres. Direct connection to the theatres and concert hall should be made wherever possible.

As noted above, key to the success of the central space is its animation and provision of amenities immediately adjacent, in connection with the adjacent surrounding cultural and entertainment uses. In this regard, the use of the ground floors of the two historic bank buildings and the rear of the Heintzman building are of prime importance.

5.3 Historic Buildings

The preservation of the historic buildings on the block has been a primary goal since the designation of the area as a Redevelopment Area in 1982.

The historic theatres and buildings occupy nearly 58% of the area of the Theatre Block and nearly 77% of the area north of the Elgin and Winter Garden Theatres. They dominate the block in height and stature and provide an exciting opportunity not only to secure their preservation but to make them an integral and functioning component of the concept that will contribute to the special atmosphere required to provide a symbolic cultural centre for Toronto.

Based on the above, the following criteria are proposed:

a) No alterations of existing historic buildings should occur without a detailed programme for the development of a central space approved by Council;

b) The detailed programme should address the retention and preservation in active use of the historic buildings and recognize their architectural significance;

c) New development adjacent to the historic buildings should be designed to respect the scale and form of the existing buildings;

d) Renovations to accommodate uses within the historic buildings should respect the historically significant qualities of the buildings; and

e) Consideration should be given to accommodate the expansion requirements of Massey Hall to the south and to the west with the historic structure located at 221 Yonge Street.

As noted in Section 5.2, the Canadian Imperial Bank of Commerce (CIBC), the Toronto Dominion Bank and Heintzman buildings form key elements in the creation of the central space. The CIBC, currently owned by the City, is vacant and requires extensive restoration. Structural changes and renovations are required to the rear portions of the other two buildings, the total extent depending on the final design approved for the central space. Restoration, improvements and/or renovations to these buildings would be undertaken in consultation with the Toronto Historic Board.

5.3.1 Massey Hall

Massey Hall is the oldest concert hall in Toronto. This world class hall is acclaimed for its acoustical excellence.

In order to remain competitive in the expanding marketplace, Massey Hall must embark on a major renovation programme to alleviate the building's deficiencies and provide needed public and backstage support facilities to render the Hall more appealing to the audience and more flexible for bookings. A preliminary study (April 1988) commissioned by the Corporation of Massey Hall and Roy Thompson Hall, reviewed the Hall's current concerns, identified total space requirements and investigated a possible long-term development strategy.

The recommended long-term development strategy, included among others, the following objectives:

a) maintenance and improvement of the Hall's ability to retail and expand its current activity base;

b) preservation and possible improvement of the Hall's acoustical value;

c) refurbishing and restoration of the existing Hall;

d) provision of additional front-of-house and public amenities; and

e) provision of expanded backstage facilities.

The Revitalization Concept for the Block, approved by City Council in July 1987, recognized the need for expansion and to this extent, has indicated that the City-owned parcel to the rear of the hall (approximately 27 feet in depth) could be made available for this purpose. The Part II Plan will provide for potential expansion as well as encourage the provision of new front-of-house facilities on privately held

lands to the west of the Hall between St. Enoch's Square and Yonge Street. The Part II Plan will also provide that any value created through the transfer of density rights, should be utilized for the purposes of the upgrading and/or expansion of the Hall, in keeping with the objectives of the Part II.

5.4 Complementary Uses

Key to the success of the proposed concept is the inclusion of uses that create a prestigious image of the area and foster a positive public perception of the block. As discussed in Section 5.2, uses that animate the focal public space should be located at grade to encourage people to utilize the interior space. In addition, retail uses should be encouraged along St. Enoch's Square in order to provide an interesting and animated walkway in this location.

For the block in general, uses that are considered complementary to the concept include commercial uses including restaurant, hotel, retail, tourist-related uses and uses that provide for public enjoyment of the arts.

As noted in Section 5.2, the clustering of complementary uses not only allows for mutual support but would also create a special public and cultural identity for this area of the City. The theatre uses in themselves provide an important cultural and tourist attraction and also help to balance the office and shopping uses in the downtown by providing leisure and night time events benefitting workers and shoppers in the City core.

The presence of City-owned land and historic buildings not only provides an opportunity to create a focus for the area, but also the opportunity to establish non-profit cultural or institutional uses compatible with the performing arts or theatre related uses in the historic buildings, fostering a cultural synergism. Providing space for such non-profit uses would provide space for appropriate uses that would add vitality to the area, but may not otherwise be able to afford to locate here.

The proposed Part II Plan provides that the general criteria for uses occupying space in City-owned historic structures will include:

a) the use should be non-profit cultural or institutional in nature, providing a service to the public with a high degree of public accessibility. Appropriate uses include activities related to the arts, history, theatre,

literature, music and could be in the form of displays, exhibits, archives, museums or libraries;

b) the use should be compatible with the historic building and where appropriate enhance those features identified as significant within it, and provide for the appropriate public display of the special interior features and spaces;

c) the use should be financially self-sustaining.

5.5 Density

The provisions of the Part I Plan will continue to apply to the block except where they are in conflict with the proposed Part II Plan. The existing zoning provisions reflecting the Official Plan designations (High Density Mixed Commercial-Residential and Financial District) will continue to apply.

As noted in Sectior 5.1, the comprehensive approach to redevelopment should permit the redistribution of density away from the historic buildings to other areas on the block or within the Central Core that can more appropriately handle the increase in density. Lands on the block suitable for increased density include the area south of the Elgin and Winter Garden Theatres, currently designated within the Financial District and the area north of the Toronto Dominion Bank south of Shuter, and west of St. Enoch's Square, designated as a High Density Mixed Use Area. The first priority for the redistribution of the density from City-owned lands and other historic structures is clearly to the Financial District lands situated on the block. Alternatively, other lands within the Central Core could qualify as recipients of this excess density provided certain criteria are met.

The area between Yonge, Shuter, the City lane and north of the Toronto Dominion Bank would be an appropriate area for increased density associated with the further development of Massey Hall or other objectives outlined in this report. Careful consideration should be given to the extent of development that would occur on the site in order to ensure its compatibility with the important adjacent historic buildings.

5.5.1 Density Transfer for Historic Buildings

Existing Official Plan policies to promote preservation under Section 1A42 (b) and (d) remain relevant for the block and

should be utilized wherever possible. Section 1A42 (b) provides for the exclusion of the gross floor area of a building or structure or portion of it, from the calculation of the maximum permitted density of development. Section 1A42 (d) permits the transfer of density for uses that relate to performing or theatre arts. The Elgin and Winter Garden Theatre was included as part of a density transfer under this section. However this section of the Part I plan would not apply in cases where uses, are deemed complementary to the Theatre Block, are not strictly related to the performing arts.

The Land Use Committee, in August 1987 has requested that the City Solicitor draft the necessary by-laws to implement a new policy on density transfers with respect to historic buildings. These by-laws are to come forward with by-laws for the use of Section 36. The proposed policy is outlined in a report entitled "Density Transfers: Policy Review and Recommendations". This policy would allow the transfer of excess commercial floor area from a lot on which a designated building is situated to another lot on which no historic building is situated provided a number of criteria are met. These are:

(1) Council has determined that further development on the designated lot is not desirable nor feasible;

(2) The maximum permitted floor area of buildings to be erected and used on the designated lot is reduced, following the density transfer, to the floor area of the existing historic building plus any proposed additions;

(3) The maximum amount of commercial floor area which may be transferred from the designated lot is the difference between the maximum commercial floor area permitted on such designated lot prior to the density transfer and the commercial floor area which will remain following the density transfer;

(4) The retention, maintenance and use of the historic building is secured by way of an agreement between the City and the owner of the historic building;

(5) An application for a density transfer is accompanied by detailed plans and drawings of the development of the lots to which density is transferred and of the intended use of the lot on which the historic building is situated;

(6) The designated lot is a small lot, not exceeding 0.4 hectares in area;

(7) The designated and receiving lots have not previously been subject to a density transfer or a density exchange;

(8) The maximum residential density or commercial density of the designated and receiving lots following the density transfer does not exceed the density limit for such lots established by the applicable mixing formula constants under the general provisions of the Official Plan;

(9) At least one point on the boundary of the designate lot is no more than 150 metres from a point on the boundary of the receiving lot or lots.

In addition, the policy provides that Council may consider applications from a designated lot to a receiving lot or lots located more than 150 metres away provided:

i) Council is satisfied that the transportation system serving the receiving lot or lots will not be adversely affected by the density transfer;

ii) Council is satisfied that the value of the density rights transferred from the designated lot to the receiving lot or lots bears a satisfactory relationship to the value of such rights had they remained on the designated lot and to the value of the existing density rights on the receiving lot or lots; and

10) In the event the historic building is destroyed by an Act of God, fire or explosion following a density transfer and Council determines that reconstruction is neither desirable nor feasible, Council may pass by-laws permitting the erection and use on the designated lot for residential buildings with a maximum floor area up to the density limit established for the designated lot by the applicable mixing formula constant under the general provisions of the Official Plan. Alternatively, by-laws may be passed permitting buildings containing both commercial and residential uses to be erected and used on the designated lot provided the floor area for commercial purposes does not exceed the amount of floor area previously used for commercial purposes in the historic building which formerly existed on the designated lot;

Section 5.1 of this report states that the one of the best methods to achieve the goals of the Part II is to redistribute

the density away from the historic buildings. The density transfer policy described above would not only achieve this goal, but would add to the economic viability of the development of the central enclosed public space. Therefore it is appropriate to include this policy in the Part II Plan.

5.6 Public Art

In October 1985 City Council adopted a policy of requiring that major private developments provide a contribution of 1% of the gross construction costs of the development to be used to provide public art. As the enclosed central public space will be the focus for the block, it is appropriate that the 1% art contribution for any project on the block be located in that space.

The Part II Plan, therefore, provides that Council in conjunction with main development projects on the block, will seek the provision of works of art which will be integrated with the design of the central public space through an appropriate public art programme.

5.7 Pedestrian Environment

A major objective in the redevelopment of the block is the creation of a comfortable, interesting and varied pedestrian environment along public streets particularly Yonge Street, and a system of mid block walkways that connects to the central space. Related to this is the relationship between the built fabric and the central enclosed space. Generally development should frame the edges of the enclosed space and face into the space and thus animate it. This will ensure that a comfortable and interesting environment is provided for the many pedestrians who will pass through or alongside this block.

5.7.1 Pedestrian Linkages

Street level pedestrian mid-block linkages should be a primary structuring element in the redevelopment of the Theatre Block. At grade pedestrian routes should be developed through the block via St. Enoch's Square and in an east-west pattern from Yonge Street to Victoria Street via the Colonial Tavern lands. Connections to the subway at Queen and Albert Streets and the existing underground network should also be encouraged in order to maintain good accessibility to the block on a year round basis.

5.7.2 Relationship to Yonge Street

It is important that redevelopment occurring along Yonge Street on the Theatre Block create a strong building - street relationship and desirable ground level conditions for lively and enjoyable pedestrian activities. New development should include a significant amount and variety of retail uses fronting on Yonge Street. New development should relate to the traditional scales of buildings as well as reflect the historic facade and shopfront scales of this street.

5.7.3 Microclimate

The Official Plan states that City Council will seek to ensure satisfactory conditions with respect to wind and shade in important pedestrian areas. The Part II Plan provides that the central public space should receive reasonable sunlight penetration given its location and should be protected from the adverse effects of the wind. In addition, this space should be protected from uncomfortable noise conditions.

Acceptable studies of wind and sun conditions should be provided in conjunction with any redevelopment proposals that may affect the conditions of central space.

5.7.4 Street Improvements

Sidewalks within the public street allowance, pedestrian walkways including the City-owned St. Enoch's lane, should be designed with appropriate materials, lighting and surface treatments that reflects an integrated and consistent design for the block.

5.8 New Buildings

The Theatre Block contains a limited amount of area suitable for redevelopment, the majority being either City-owned land or lands assembled in the southern sector of the block. A second area of potential redevelopment includes the north-west quadrant which contains 4 separately owned parcels, of which one contains a listed historic building. Redevelopment of these areas should be considered as infill that would relate to the central space, concert hall and theatres and historic buildings, rather than as parcels to be developed individually.

5.8.1 Pedestrian Scale

Pedestrian scale and interest is important on all streets adjacent to the central space and along mid block connections. It can be achieved through animated uses at grade reflecting

the scale of historic buildings and the use of architectural details and materials.

5.8.2 Quality

All new development should be of high architectural and urban design qualities reflecting the historical and cultural importance of the block. Special consideration should be given to detailing and to the choice of materials particularly with respect to the central space and its relationship to the adjacent buildings.

5.9 Servicing and Parking

Two potential areas for servicing exist: Shuter Street via St. Enoch's Square and Victoria Street. Servicing from Yonge or Queen Streets is not appropriate as it would be disruptive to high pedestrian flows. The predominant service route should be from Victoria Street to serve Massey Hall, the theatres and the CIBC and Heintzman buildings. A City lane, St. Enoch's Square, will continue to serve those buildings adjacent to the laneway that front on Yonge Street. On-site loading with appropriate access should be established wherever possible.

An existing right-of-way in favour of the Elgin and Winter Garden Theatres and the Heintzman building, from Victoria Street, must be retained at this time. Eventual elimination of this right-of-way is recommended in order to facilitate the implementation of the central enclosed public space. The Part II Plan also provides that this right-of-way and St. Enoch's Square be utilized as both a vehicular service route as well as a pedestrian walkway.

Extremely limited opportunity exists to provide parking to serve the theatres and concert hall on the block. Parking to be provided in conjunction with development at the south end of the block could also be utilized for the theatres and other uses associated with the central space. The Part II Plan will encourage the use of these facilities wherever possible to meet some of the parking needs of the existing buildings that cannot provide it on their own.

It should be noted that in view of recent developments occurring north of Shuter Street relating to the Pantages Theatre and the possible creation of additional movie theatres at Yonge and Shuter Streets, a further detailed analysis of the parking requirements to serve the two blocks should be undertaken. Recommendations from this study can be

incorporated into the Part II Plan at a later date and will also form part of the study of the area north of this block between Shuter and Dundas Streets.

6. IMPLEMENTATION OF CENTRAL ENCLOSED PUBLIC SPACE

The revitalization concept for the Theatre Block is a unique public/private initiative that will result in obtaining significant public benefits for the City. Consideration must be given to how best to involve the public and private sectors in the realization of the significant development of the central space on city-owned lands.

This report recommends that the Commissioner of Planning and Development in consultation with the Commissioner of City Property, the City Sclicitor and other appropriate Departments including the Toronto Historical Board report on the details of the most appropriate method to implement the central space concept taking into account the City's approach to consider public proposal callls for its lands.

7. PROCEDURE

The Land Use Committee at its August 10, 1988, meeting recommended that it consider this report and that the public meeting on the draft by-laws be held at the same time. It is anticipated that this will be at its September 27, 1988 meeting.

The Planning Advisory Committee should consider this report and forward its recommendations with respect to the Part II Plan, to the Land Use Committee.

Following the adoption of the Part II Official Plan, as outlined in Section 6 of this report, I intend to report on the appropriate method and necessary steps to implement the central space concept.

RECOMMENDATIONS:

1. That the City Solicitor be requested to submit a draft by-law to give effect to the Part II Plan Amendment to the Official Plan substantially as set out in Appendix A of this report.

2. That the Planning Advisory Committee be requested to forward its recommendations with respect to the proposed Part II Plan, to the Land Use Committee for consideration at the public meeting on the Part II Plan.

3. That the Commissioner of Planning and Development in consultation with the Commissioner of Public Works and the Toronto Parking Authority be requested to report further on the parking requirements to serve the blocks bounded by Dundas, Queen, Yonge and Victoria Streets.

4. That the Commissioner of Planning and Development and the Commissioner of City Property, in consultation with the City Solicitor and other relevant Departments including the Toronto Historical Board be requested to report on the details of the most appropriate method to implement the central enclosed public space including a public proposal call for this area.

5. That I be requested to report further on additional policies with respect to the use of Section 36 of the Planning Act to achieve objectives for the Theatre Block, following the adoption by City Council of the approval to the use of Section 36.

Robert E. Millward
Commissioner

Executive Alderman Michael Gee
Chairman, Mayor's Task Force
on the Theatre Block

PD:in

APPENDIX A
Official Plan Part II

1.0 Interpretation

1.1 For the purposes of this amendment to the Official Plan for the City of Toronto, the "Theatre Block" is defined as the lands south of Shuter Street; north of Queen Street; east of Yonge Street and west of Victoria Street, as shown on the Map.

1.2 This amendment is deemed to be Part II of the Official Plan for the Theatre Block, hereinafter referred to as the Block.

1.3 The text and maps of Part I of the Official Plan continue to apply to the Part II lands except in cases where the text and map of this amendment are in conflict therewith, in which case the text and map of this amendment shall prevail.

2.0 General Objectives

2.1 It is the policy of Council to encourage comprehensive redevelopment of the Block in accordance with the provision of this Plan.

2.2 Council recognizes the unique significance of the historic buildings on the Block and it is therefore the objective of Council to protect the historic buildings within the Block and to ensure that new development is compatible with and enhances such buildings.

2.3 It is the policy of Council to ensure the provision of appropriate public amenities, services and facilities in conjunction with new development on the Block.

2.4 It is the policy of Council to encourage the development of uses and facilities that are complimentary to the theatre and performing arts uses including tourist related attractions that will create a strong public and cultural identity.

2.5 It is the policy of Council to develop a major climate controlled, accessible interior public space on City-owned lands as a focus for the Block.

2.6 It is the policy of Council to consider the use of City owned historic buildings on the Block for non-profit and/or institutional uses in keeping with the objectives of the Plan. In this regard, Council will have regard for and encourage

uses that animate the area and contribute to its viability with respect to the Theatre Block objectives.

2.7 In order to assist in the achievement of its major objectives for the Block

a) Council may enact by-laws to permit the transfer of development rights pursuant to Section 7 of this Plan, and

b) The proceeds from the sale of development rights from historic buildings on public lands will be utilized for the implementation of the objectives of the Part II Plan.

3.0 Structure, Form and Physical Amenities

3.1 It is the policy of Council that, in the redevelopment of the Block, the major portion of new commercial development be located within the area south of the Elgin and Winter Garden Theatres and the area north of these theatres should be developed with buildings and public spaces sensitive to the scale and design of the historic buildings located within the Theatre Block.

3.2 It is the policy of Council that the heights of buildings on the Block should reflect the heights of historic buildings, and the transition in scale from the highrise buildings south of Queen Street to the lower buildings north of Queen and fronting onto Yonge Street. Accordingly, Council may pass by-laws to enact height limits to achieve this.

3.3 It is the policy of Council that new development fronting on Yonge Street shall relate to and reflect the traditional scale of buildings on Yonge Street.

3.4 In order to assist in the realization of the objectives of the Plan, Council should consider the expansion of Massey Hall on City-owned lands to the south of the Hall, and should also consider the expansion for new front-of-house facilities in conjunction with the historic building located at 221 Yonge Street.

3.5 In exercising its available powers of regulation, review and approval under the Planning Act, 1983 for the development of the Block, Council will have regard for the following objectives:

(a) The location and form of buildings should permit reasonable sunlight penetration to publicly accessible interior space on the Block;

(b) The location and form of buildings should minimize adverse effects of wind in all exterior pedestrian areas, both on and adjacent to the Block;

(c) New development adjacent to the designated historic buildings on the Block should be designed to respect the scale and form of existing buildings. Highrise buildings within the Block should be sited and designed to be compatible with adjacent historic buildings.

(d) The edges of the climate controlled interior public space should be defined by buildings.

(e) Interior and exterior space adjacent to the public sidewalk and pedestrian walkways should generally be accessible directly at grade level without the use of stairs or steps;

(f) Buildings and all publicly accessible space should be accessible to the handicapped; and

(g) Buildings on St. Enoch's Square should provide retail uses fronting onto this lane for animation and pedestrian interest without jeopardizing the servicing function of this lane.

4.0 Heritage Conservation

4.1 It is the policy of Council to seek the conservation, restoration, maintenance and enhancement of the historic buildings on the Block through appropriate integration with new development in order to complete the revitalization concept and create a lively public environment which will enhance the use of buildings.

4.2 It is the policy of Council that alterations or demolitions to portions of the historic buildings should only occur in consultation with the Toronto Historical Board in conjunction with a detailed programme approved by Council for the implementation of the climate controlled interior public space.

4.3 The detailed programme should address the retention and preservation, in active use of the historic buildings and recognize their architectural significance.

4.4 Council shall seek to secure appropriate uses that enhance public access to all or portions of the historic buildings adjacent to the climate controlled interior accessible public space.

5.0 Transportation and Circulation

5.1 Council shall seek to ensure that new development on the Block will not impact negatively on the transportation system in the Central Area and will provide easy access to public transportation.

5.2 In exercising its available powers of regulation, review and approval under the Planning Act, 1983 for the development of the Part I lands, Council will have regard for the following objectives:

(a) Vehicular access to new development on the Block should be consolidated and located to minimize disruption of traffic flows, and preferably be from Victoria Street.

(b) Direct access to public transportation from new buildings should be provided wherever possible.

(c) Council shall consider wherever possible the use of St. Enoch's as both a vehicular and pedestrian route to enhance circulation and to promote retail uses on this lane.

(d) Consideration should be given for new developments on the block to provide shared use of parking for the use of the theatre and related and uses on the Block, wherever possible.

(e) Council shall seek to secure appropriate publicly accessible through block pedestrian routes in both east/west and north/south directions through the Block.

6.0 Public Space and Pedestrian Areas

6.1 It is the policy of Council that an interesting and varied pedestrian environment be developed along public streets and laneways, publicly accessible walkways wherever possible and adjacent to the climate controlled interior space throughout the Block.

6.2 It is the policy of Council to seek the provision of works of art subject to City Council's guideline on the provision of

public art, through an appropriate public art programme in the climate controlled interior public space on the Block.

6.3 In exercising its available powers of regulation, review and approval under the Planning Act 1983, for the development of the Block, Council will have regard for the following objectives:

(a) Sidewalks, pedestrian walkways should be designed with appropriate landscaping, furnishings, pedestrian scale lighting and surface treatments while maintaining adequate clear widths to accommodate widths to accommodate typical pedestrian flows;

(b) A satisfactory noise environment should be achieved in the publicy accessible enclosed areas;

(c) Principal pedestrian routes should provide shelter from adverse weather conditions through the provision of canopies or arcades; and

(d) All loading facilities should be off-street and vehicular access points to them should be minimized;

7.0 Density

7.1 The provisions of Section 3A.3 and 3A.4 of Part I of the Official Plan and all other provisions of Part I of the Official Plan which may alter the commercial, institutional or residential densities permitted by Section 3A.3 and 3A.4 apply to the Block except as this Section otherwise permits.

7.2 In order to assist in the realization of the objectives set out in Sections 2 and 4 of this Plan, notwithstanding any other provisions of the Part I Plan, Council may pass by-laws to permit the transfer of non-residential density from designated lots within the Block provided:

(a) the lot from which the non-residential density is to be transferred (hereinafter called "the designated lot") located within the Block, and comprises designated property within the meaning of the Ontario Heritage Act;

(b) the lot or lots to which non-residential density is to be transferred (hereinafter called the "receiving lot" or "receiving lots"), is located within the Central Core in a Medium Density Mixed Commercial-Residential Area, a High Density Mixed Commercial-Residential Area, or the Financial District;

(c) the owner of the designated lot and the owner of the receiving lot apply to the City to permit such a transfer of density;

(d) the retention and maintenance of the designated property on the designated lot are secured by way of an agreement, in a form satisfactory to the City Solicitor, between the City and the owner of the designated lot;

(e) the maximum gross floor area permitted by such by-law on the designated lot is limited to the gross floor area of the existing designated property thereon plus any proposed additions thereto which, in the opinion of Council, are appropriate in the context of a renovation plan for such designated property;

(f) the maximum amount of commercial gross floor area permitted by such by-law to be transferred from the designated lot to the receiving lots is equal to the difference between the maximum commercial gross floor area permitted on the designated lot prior to the passing of the by-law and the commercial gross floor area, if any, of the existing designated property thereon and any addition, for commercial purposes, proposed thereto (for the purposes of this Section, the provisions of Section 1A.42(b) of the Plan apply in the calculation of the maximum amount of commercial gross floor area permitted to be transferred from the designated lot, unless such provisions have been utilized by an owner of the designated lot prior to the proposed density transfer hereunder);

(g) the maximum residential FSI density, as described in Sections 3A.2(bb) and 3A.3(bb) of Part I of the official Plan, or residential density or commercial density (as the case may be) permitted on the receiving lot or receiving lots by a by-law passed pursuant to this Section does not exceed the mixing formula constant for such receiving lot or receiving lots as set out in Sections 3A.2(b), 3A.2(bb), 3A.3(b), 3A.3(bb) or 3A.4(b) of the Plan, as may be applicable;

(h) a by-law has not been previously passed under this Section of the Plan and approved by the Minister of Municipal Affairs or the Ontario Municipal Board which applies to any of the lots in respect of which an applciation pursuant to this Section is made;

(i) the designated lot is a small lot, not exceeding 0.4 hectares in area for the purposes of this Section, the area of any parcel of land which abuts the designated lot at any point shall be included in calculating the area of the designated lot if the owner of the designated lot also owns a legal or equitable interest in such abutting parcel, is the beneficiary of a trust which owns such abutting parcel, or owns or is beneficiary of a trust of shares in the capital stock of a corporation which owns a legal or equitable interest in such abutting parcel for the benefit of which such an interest is held);

(j) an application made under this Section is accompanied by detailed plans and drawings of the development of the receiving lot or receiving lots and of the intended development, and use of the designated lot;

(k) subject to sub-paragraph (l) of this Section, at least one point on the boundary of the designated lot is no more than 150.0 metres, from a point on the boundary of the receiving lot or receiving lots; and

(l) in considering applications pursuant to this Section where the distance between the designated lot and a receiving lot is in excess of 150.0 metres, Council shall be satisfied that:

(1) the transportation system serving the receiving lot or receiving lots will not be adversely affected by the transfer thereto of density rights from the dessignated lot; and

(2) the value of the density rights to be transferred to the receiving lot or receiving lots bears a satisfactory relationship to the value of such rights had same remained on the desingated lot and to the value, immediately prior to the transfer, of the density rights on the receiving lot or receiving lots.

8.0 Uses

8.1 It is an objective of Council that as a first priority non-profit cultural uses complimentary to the objectives for the Block should be located in the historic buildings adjacent to the central enclosed space.

8.2 In order to assist in the achievement of its major objectives for the Block, Council shall endeavour to provide space for

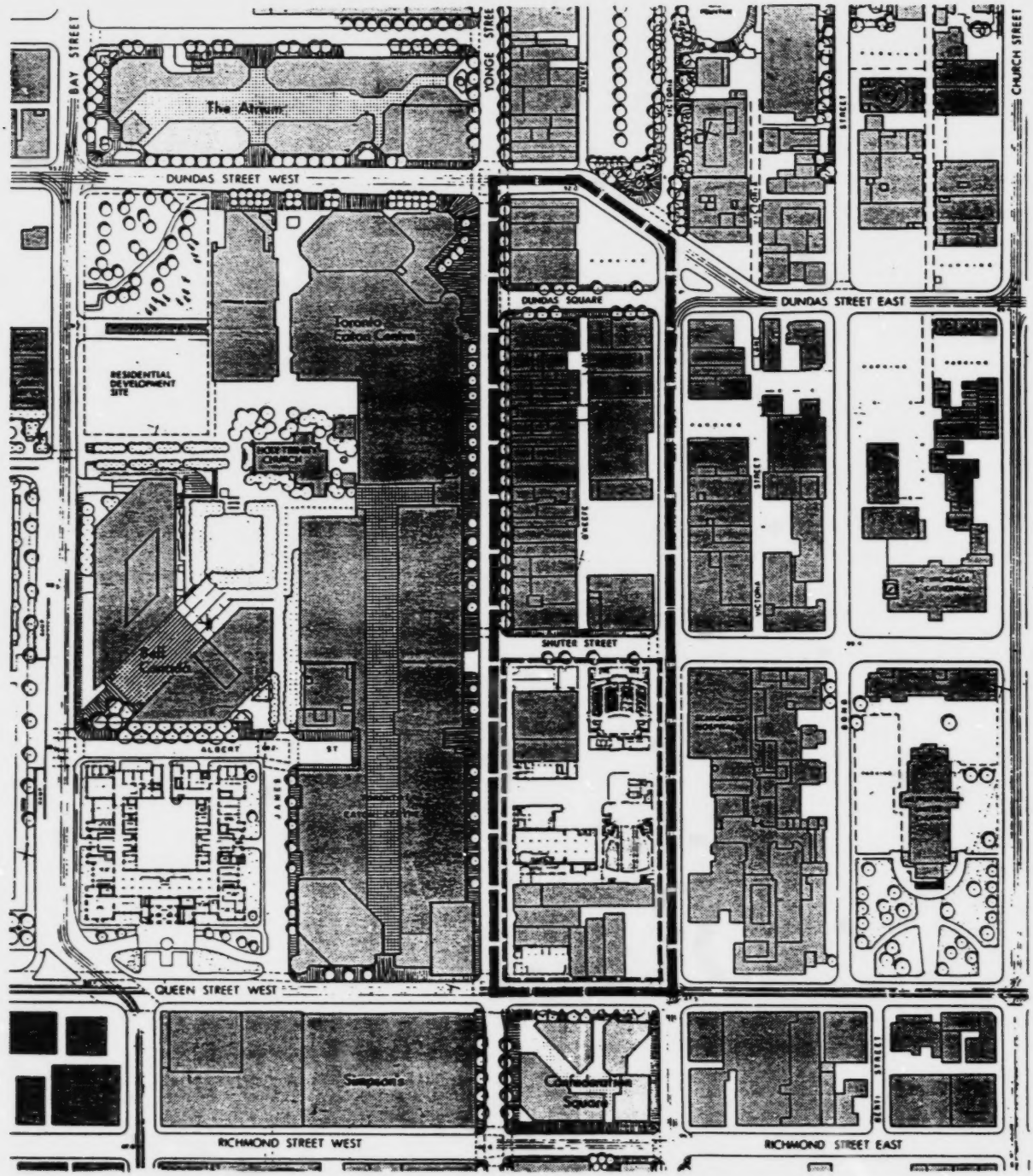
non-profit cultural or institutional uses within all or part of City-owned historic buildings on the Block provided that:

a) the use is non-profit, cultural and/or institutional with a significant public accessibility, providing a amenity or service to the public. Appropriate uses include activities related to the arts, history, theatre, literature, music and include displays, exhibits, archives, museums or libraries and accessory uses, and

b) the use should be compatible with the heritage building and where appropriate enhance those features identified as significant, and provide for the appropriate public display of any special interior features and spaces

THEATRE BLOCK

Context Plan

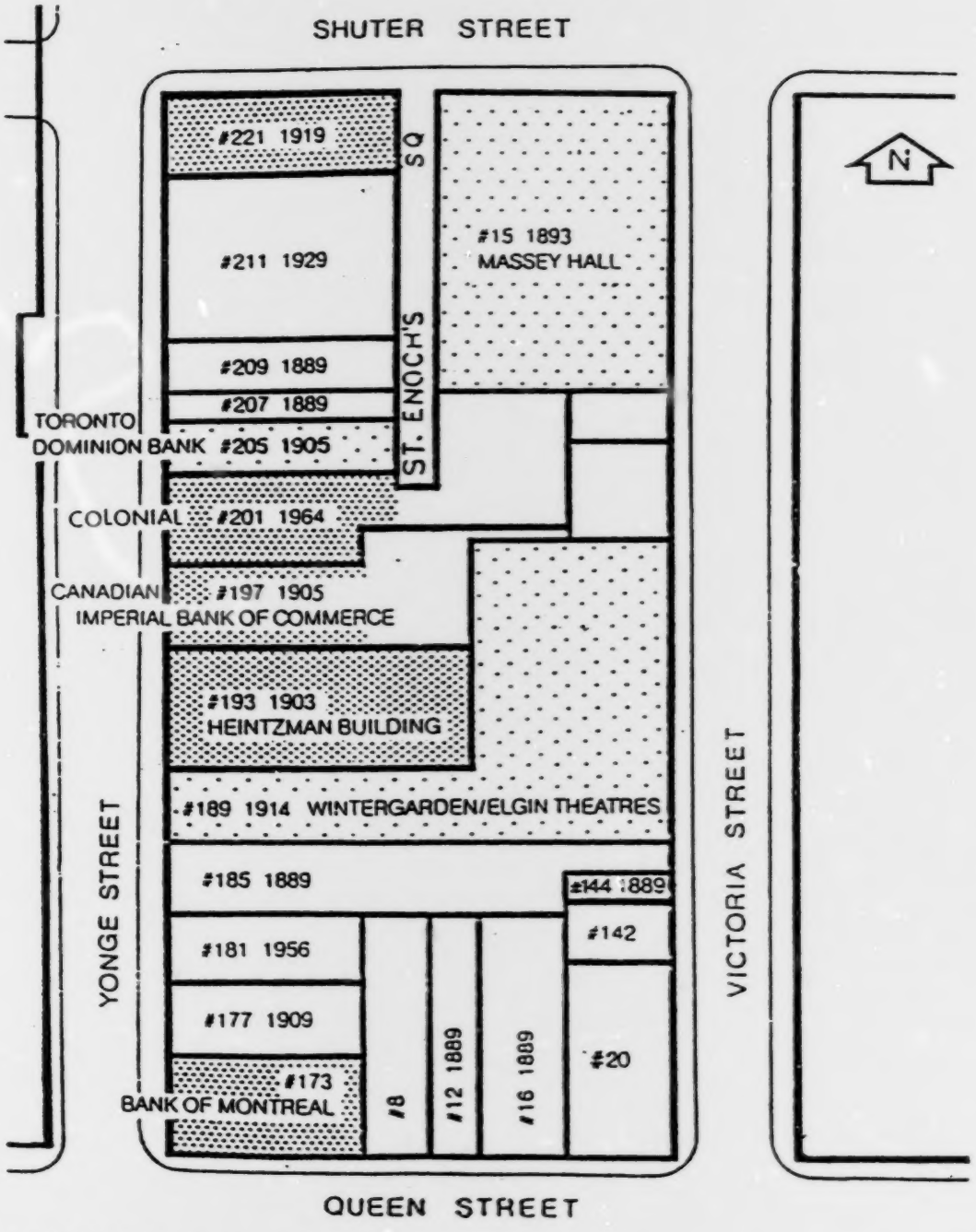


REDEVELOPMENT AREA

BOUNDARIES OF PART II PLAN

THEATRE BLOCK

Historic Buildings



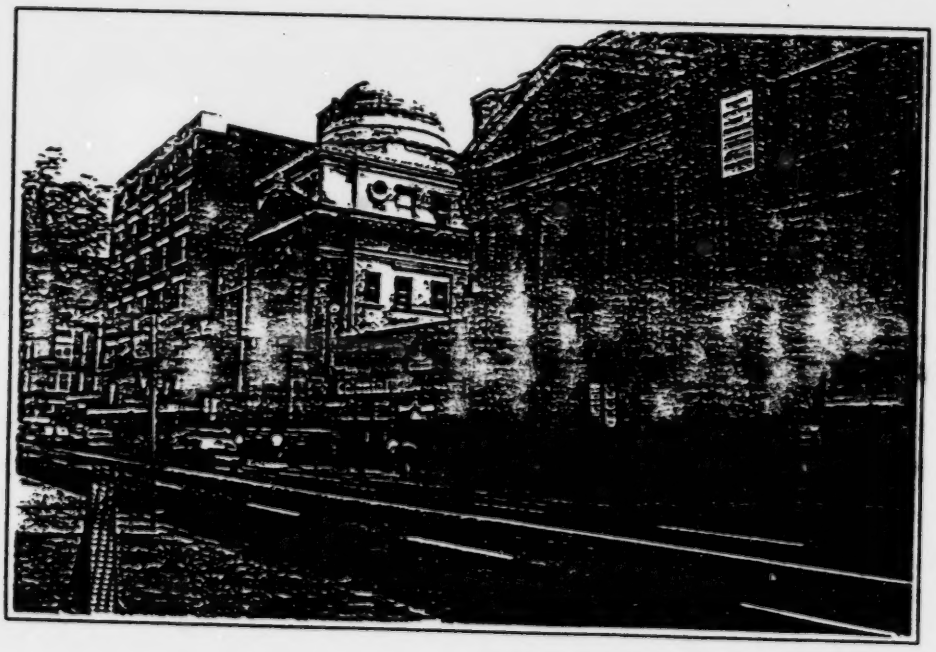
LISTED BY TORONTO HISTORICAL BOARD

DESIGNATED UNDER ONTARIO HERITAGE ACT

Massey Hall
1893

Bank Of Montreal
1909

Elgin Winter Garden Theatre
1914

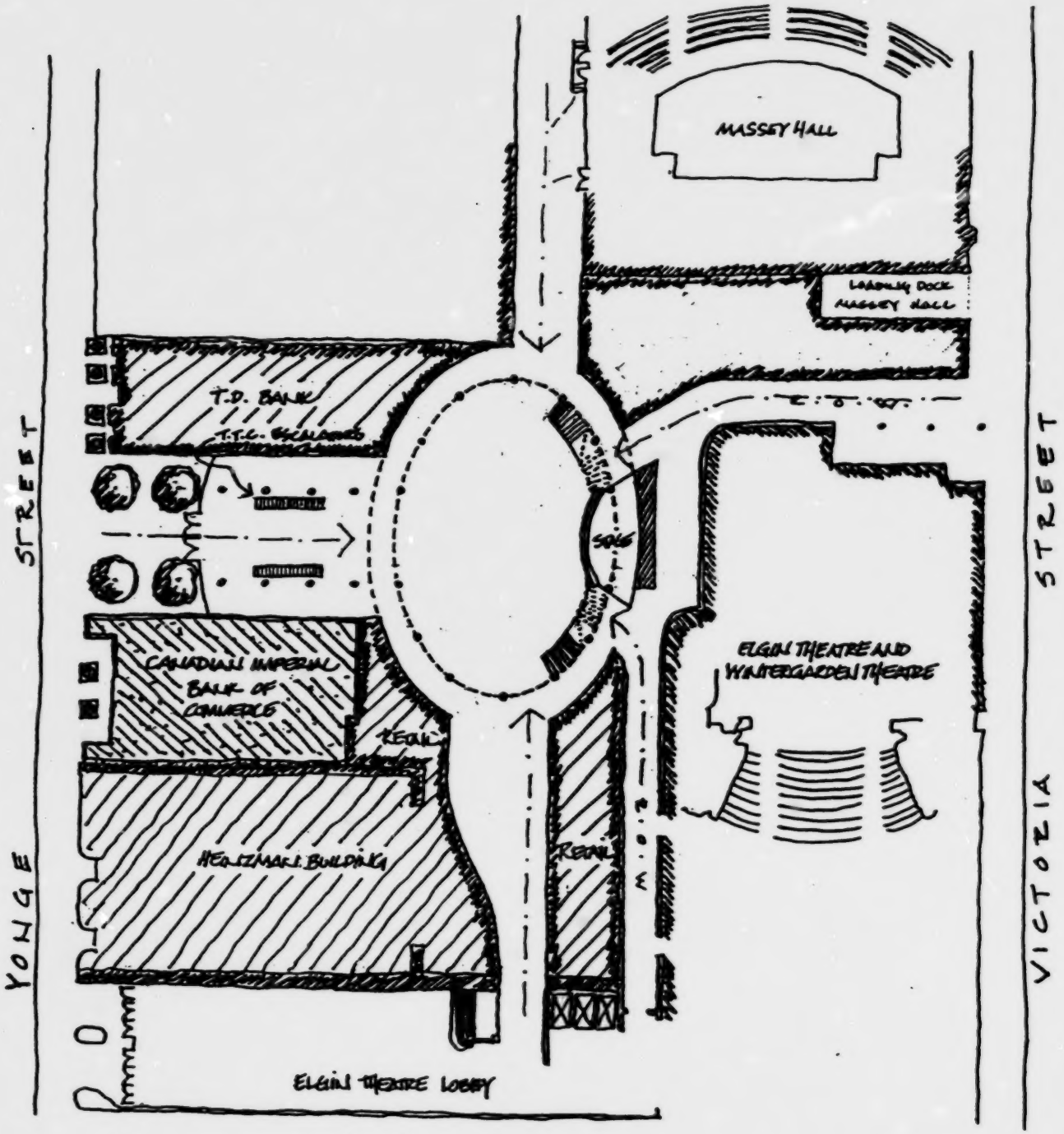


Bank Of Toronto
1905

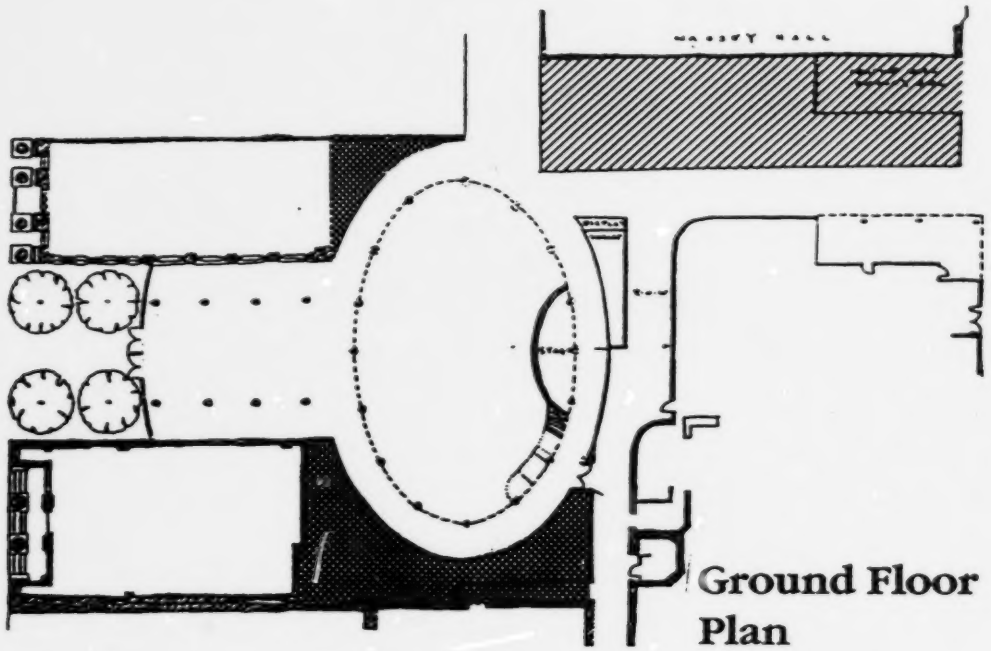
Canadian Bank Of Commerce
1905

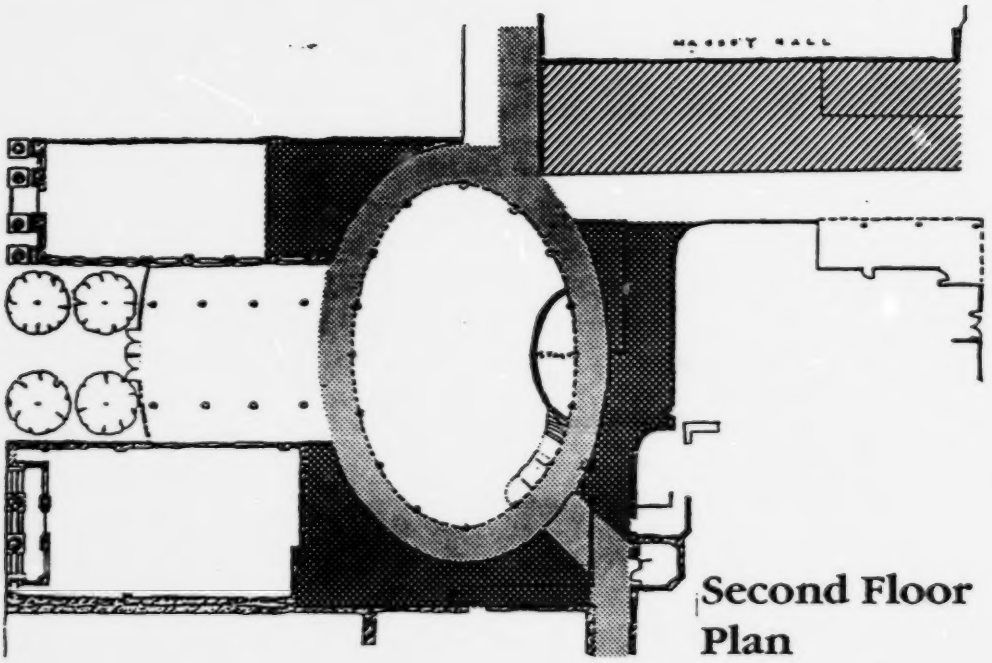
SITE PLAN

Central Space Concept



ENCLOSED CENTRAL SPACE CONCEPT

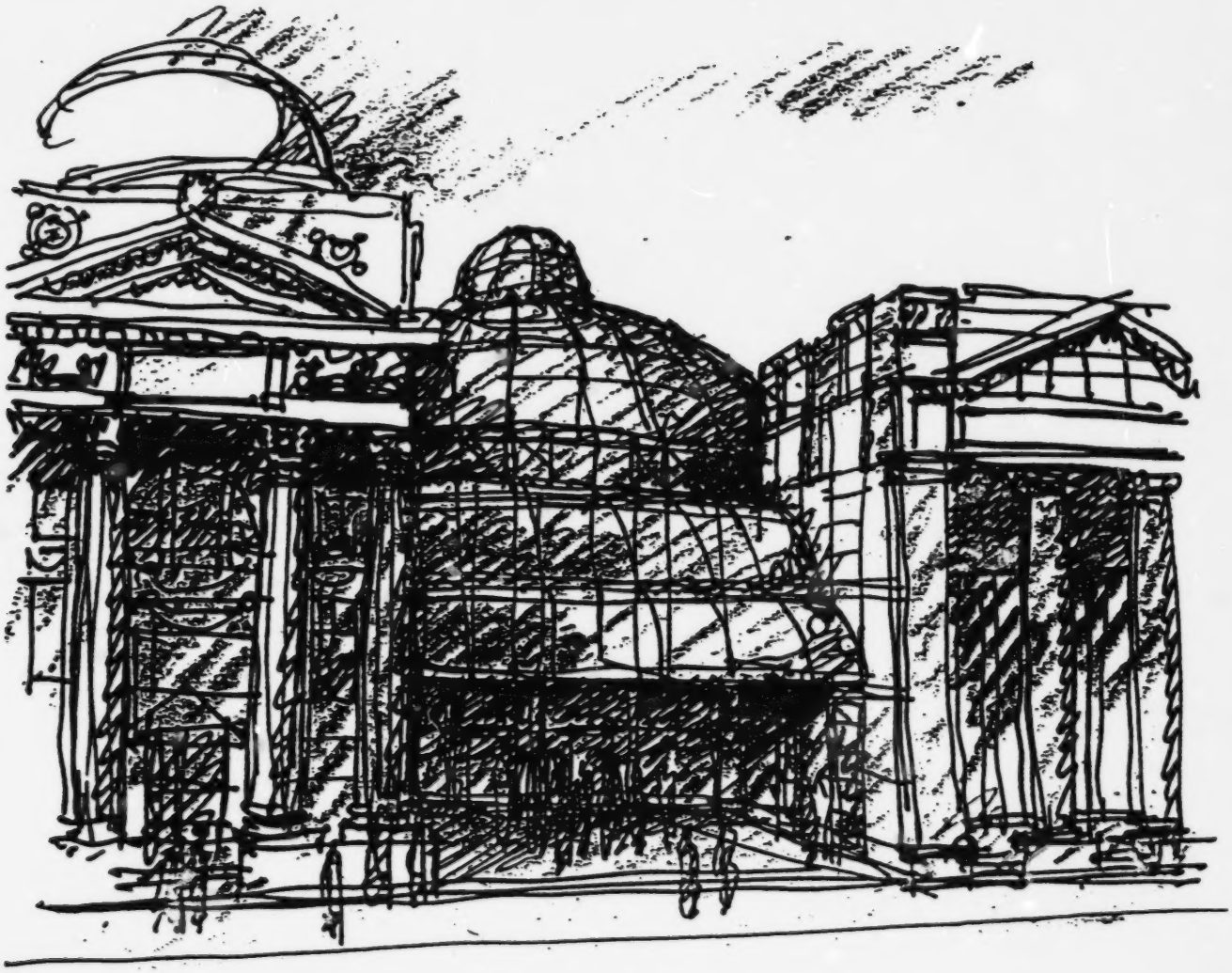




Retail

Upper Level Walkways

Massey Hall: Back of House



Yonge Street Elevation